THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 17742 of 2007

Date:21-08-2007

Between:

Tulasi Prakash **.. PETITIONER**

AND

The SHO PS Gajuwaka

..

RESPONDENT

ORDER:

The petitioner seeks to issue a writ of mandamus to declare

the action of the respondent in summoning the petitioner to the police station time and again and making him to sit in the police station for hours together and extending severe threats to implicate him in false criminal cases without there being any crime registered against him, as illegal and arbitrary.

It is the case of the petitioner that he along with two others started a business in the name and style of M/s. Sneha Shopping & Marketing and doing business in retail trading and giving membership to the individuals by collecting Rs.125/- form them and issuing them discount coupons to avail discount of 5% from identified shopping malls. It is stated that petitioner enrolled certain members on receiving Rs.125/- and gift worth Rs.125/- was also given apart from giving discount coupons to purchase certain articles from the shopping malls. It is stated that there is no illegality in the said action of the petitioner and there is no fraud or cheating on the part of the petitioner. It is stated that there are no complaints from any of the members. But, without any justification, the respondent is interfering with the lawful business of the petitioner.

Admittedly, the petitioner has not made any representation about the alleged illegal interference of the respondent before the superior officers. Without making any representation, demand or request before the superior officers, I am of the opinion that no writ of mandamus can be issued. Hence, there are no merits in the writ petition and the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

V.ESWARAIAH, J.

Date:21.08.2007.
Ccm